

REFERENCE TITLE: **recreational corridor channelization districts; cities**

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SB 1238

Introduced by
Senator Nelson

AN ACT

AMENDING SECTION 48-6002, ARIZONA REVISED STATUTES; RELATING TO RECREATIONAL CORRIDOR CHANNELIZATION DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 48-6002, Arizona Revised Statutes, is amended to
3 read:

4 48-6002. District establishment; memorandum of intent;
5 petition; hearing

6 A. A recreational corridor channelization district may be established
7 in an area that is the subject of a watercourse master plan by the following
8 procedures:

9 1. Any person desiring to propose the establishment of a district
10 shall prepare and submit a memorandum of intent to the board of supervisors
11 of the county in which the district is to be located. The memorandum of
12 intent shall contain at least the following information:

13 (a) A description of the boundaries of the proposed district and a
14 detailed, accurate map of the area to be included in the district. The
15 boundaries shall be of a width no smaller than the floodplain as identified
16 by the national flood insurance program.

17 (b) An estimate of the assessed valuation within the proposed
18 district.

19 (c) A planning agreement for the formation of the district. The
20 planning agreement shall contain at least the following:

21 (i) A description of the planned cost sharing agreements between the
22 cities, towns and counties and other government entities and private parties
23 regarding project planning and preparation.

24 (ii) A description of the concept plan for initial improvements for
25 the area in the district and a description of the preliminary long-term plan
26 for the proposed district.

27 (iii) A description of the proposed structure and membership for the
28 project management oversight committee.

29 (d) A copy of the watercourse master plan.

30 2. Presentation to the board of supervisors of a petition that
31 purports to be signed by the number of property owners that own more than
32 twenty-five per cent of the real property in the proposed district and that
33 shall be verified by the board of supervisors, which shall make a finding of
34 fact as to the petition at the hearing called pursuant to paragraph 3. The
35 district shall not be formed if a sufficient number of property owners do not
36 sign the petition.

37 3. On receipt of the memorandum of intent, the board of supervisors
38 shall set a day for a hearing on the memorandum of intent. At any time
39 before making a determination pursuant to paragraph 4, the board of
40 supervisors may require that the memorandum of intent be amended to include
41 any information that the board of supervisors deems to be relevant and
42 necessary. For any memorandum of intent that requires cost sharing by the
43 county, the board of supervisors shall hold a hearing and approve or deny
44 cost sharing. For any other memorandum of intent, the board of supervisors

1 may comment on the matter for up to ninety days after receipt of the
2 memorandum.

3 4. At any hearing called pursuant to paragraph 3, the board of
4 supervisors shall hear those who appear for and against the proposal and may
5 issue a preliminary approval for the district and for the furtherance of
6 planning and project preparation.

7 B. ~~If a proposed district would include property located in an
8 incorporated city or town, in addition to the other requirements of
9 subsection A, the board of supervisors shall give final approval to the
10 establishment and authorize the formation only if the governing body of the
11 city or town has by ordinance or resolution endorsed the establishment.~~